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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Appln. Of: LEVECKE et al.  
Serial No. 10/595,653  
Filed: May 2, 2006  
For: COSMETIC RINSE-OFF COMPOSITIONS COMPRISING...  
DOCKET: TIENSE RAFF.38

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-identified application, Applicants hereby attach U.S. Patent Office form PTO-1449, including copies of the prior art references listed therein. These references were cited in the International Search Report dated March 30, 2005 of the corresponding EPO patent application, and/or in the International Preliminary Report on Patentability, or in the Specification. Enclosed also are copies of the International Search Report and the International Preliminary Report on Patentability. Where available, English Abstracts and/or counterparts are being provided. Applicants are not submitting copies of the U.S. Patent references as the Office waived the requirement on July 11, 2003. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR §1.56(A). No representation is made that the

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information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR §1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

We believe that there are no fees involved with this information disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



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Reg. No. 24, 315

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. on May 3, 2006, at Tucson, Arizona.

By Sharon McKniff

NPS:sm

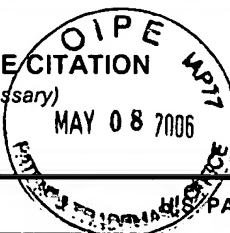
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| <b>INFORMATION DISCLOSURE CITATION</b><br><i>(Use several sheets if necessary)</i> |  |                 |            | ATTY DOCKET NO.                       |       | APPLICATION NO. |                               |    |
|  |  |                 |            | <b>TIENSE RAFF.38</b>                 |       |                 |                               |    |
|  |  |                 |            | APPLICANT(S)<br><b>LEVECKE et al.</b> |       |                 |                               |    |
|  |  |                 |            | FILING DATE                           |       | GROUP ART UNIT  |                               |    |
|  |  |                 |            | May 2, 2006                           |       |                 |                               |    |
| <b>U.S. PATENT DOCUMENTS</b>   |  |                 |            |                                       |       |                 |                               |    |
| *EXAMINER<br>INITIAL   |  | DOCUMENT NUMBER | DATE       | NAME                                  | CLASS | SUBCLASS        | FILING DATE<br>IF APPROPRIATE |    |
|  |  | 2,237,629       | 04/08/1941 | ORELUP                                | 252   | 152             | 07/25/1935                    |    |
|  |  | 3,998,761       | 12/21/1976 | GARY et al.                           | 252   | 544             | 04/17/1975                    |    |
|  |  | 3,988,438       | 10/26/1976 | WEINSTEIN                             | A61K  | 7/06            | 01/10/1975                    |    |
|  |  | 4,364,837       | 12/21/1982 | PADER                                 | 252   | 173             | 09/08/1981                    |    |
|  |  | 6,261,578       | 07/17/2001 | DUPUIS                                | A61K  | 7/00            | 06/14/1999                    |    |
| <b>U.S. PATENT APPLICATION PUBLICATIONS</b>  |  |                 |            |                                       |       |                 |                               |    |
| *EXAMINER<br>INITIAL   |  | DOCUMENT NUMBER | DATE       | NAME                                  | CLASS | SUBCLASS        | FILING DATE<br>IF APPROPRIATE |    |
|  |  |                 |            |                                       |       |                 |                               |    |
|  |  |                 |            |                                       |       |                 |                               |    |
|  |  |                 |            |                                       |       |                 |                               |    |
|  |  |                 |            |                                       |       |                 |                               |    |
| <b>FOREIGN PATENT DOCUMENTS</b>  |  |                 |            |                                       |       |                 |                               |    |
|  |  | DOCUMENT NUMBER | DATE       | COUNTRY                               | CLASS | SUBCLASS        | TRANSLATION                   |    |
|  |  |                 |            |                                       |       |                 | YES                           | NO |
|  |  | 2 795 953       | 12.01.2001 | FRANCE                                | A61K  | 7/075           |                               | ✓  |
|  |  | 2 795 954       | 12.01.2001 | FRANCE                                | A61K  | 7/075           |                               | ✓  |
|  |  | 02/055053 A2    | 07.18.2002 | WIPO                                  | A61K  | 7/50            |                               | ✓  |
|  |  | 02/055034 A2    | 07.18.2002 | WIPO                                  | A61K  | 7/06            |                               | ✓  |
|  |  | 0 591 443       | 04.13.1994 | EPO                                   | A61K  | 8/73            |                               | ✓  |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>      |  |                 |            |                                       |       |                 |                               |    |
|  |  |                 |            |                                       |       |                 |                               |    |
|  |  |                 |            |                                       |       |                 |                               |    |
| EXAMINER   |  |                 |            | DATE CONSIDERED                       |       |                 |                               |    |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| <b>INFORMATION DISCLOSURE/CITATION</b><br><i>(Use several sheets if necessary)</i> |  |  |  | ATTY DOCKET NO.<br><b>TIENSE RAFF.38</b> |  | APPLICATION NO. |  |
|  |  |  |  | LEVECKE et al.                           |  |                 |  |
|  |  |  |  | FILING<br><b>May 2, 2006</b>             |  | GROUP ART       |  |



| PATENT DOCUMENTS  |                 |            |                |       |          |                            |  |
|-------------------|-----------------|------------|----------------|-------|----------|----------------------------|--|
| *EXAMINER INITIAL | DOCUMENT NUMBER | DATE       | NAME           | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |  |
|                   | 5,518,733       | 05.21.1996 | LAMOTHE et al. | 424   | 430      |                            |  |
|                   |                 |            |                |       |          |                            |  |
|                   |                 |            |                |       |          |                            |  |
|                   |                 |            |                |       |          |                            |  |
|                   |                 |            |                |       |          |                            |  |

| U.S. PATENT APPLICATION PUBLICATIONS |                 |            |             |       |          |                            |  |
|--------------------------------------|-----------------|------------|-------------|-------|----------|----------------------------|--|
| *EXAMINER INITIAL                    | DOCUMENT NUMBER | DATE       | NAME        | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |  |
|                                      | 2004/0105832    | 06.03.2004 | FACK et al. | 424   | 70.13    |                            |  |
|                                      |                 |            |             |       |          |                            |  |
|                                      |                 |            |             |       |          |                            |  |
|                                      |                 |            |             |       |          |                            |  |

| FOREIGN PATENT DOCUMENTS |  |                 |            |         |       |          |             |    |
|--------------------------|--|-----------------|------------|---------|-------|----------|-------------|----|
|                          |  | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|                          |  |                 |            |         |       |          | YES         | NO |
|                          |  | 02/055036 A2    | 07.18.2002 | WIPO    | A61K  | 7/06     |             | ✓  |
|                          |  | 1 380 284 A1    | 01.14.2004 | EPO     | A61K  | 7/075    |             | ✓  |
|                          |  |                 |            |         |       |          |             |    |
|                          |  |                 |            |         |       |          |             |    |
|                          |  |                 |            |         |       |          |             |    |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |  |  |
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| EXAMINER | DATE CONSIDERED |
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